

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

WILSHIRE CREDIT CORPORATION, *

Plaintiff, * CIVIL NO. 98-21356(DRD)

v. *

G&C PLAZA, INC. ET ALS., *

Defendants. *

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U.S. DISTRICT COURT
SAN JUAN, PR.

ORDER

The court entered an Opinion and Order in the above captioned case finding that the loan object of the above captioned complaint guaranteed by a mortgage was a commercial loan and that hence the obligation of the sureties expired at the same time as that of the debtor. The court found that the collection of the loan was barred by the statute of limitations. See Opinion and Order of July 30, 1999, entered August 2, 1999, Docket No. 18. Judgment was entered on October 12, 1999, Docket No. 25.

Defendants now request the court a nunc pro tunc amendment to the Judgment and an order enabling them to cancel the recording of the mortgage at the Registry of Puerto Rico.

The court deems that no amendment to the Judgment is necessary since the matter is only an equitable remedy related to the Opinion and Order and Judgment entered. Since the court has found that the debt guaranteed by the mortgage is uncollectable because the same is barred by the statute of limitations, the cancellation at the Registry constitutes merely an equitable remedy to be provided under the Opinion and Order. The

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court, therefore, issues a mandate ordering the Registry of Puerto Rico to cancel the mortgage object of the above captioned complaint. Defendant G&C Plaza, Inc. is to inform the court the circumstances of the mortgage in the Registry of Puerto Rico enabling the court to issue the mandate.

IT IS SO ORDERED.

At San Juan, Puerto Rico, this 5 day of October 2000.



**DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE**